



**{In Archive} RE: spill report #051209-01 - report of failed septic at Pineview Estates south of Gardnerville**

**Marie Barry** to: 'Tansey Smith', Gregory Phillips  
Cc: Eric Byous, "Rob Greenbaum"

12/15/2005 06:14 PM

From: Marie Barry <[marie.barry@washoetribe.us](mailto:marie.barry@washoetribe.us)>  
To: "Tansey Smith" <[tsmith@ndep.nv.gov](mailto:tsmith@ndep.nv.gov)>, Gregory Phillips/R9/USEPA/US@EPA,  
Cc: Eric Byous/R9/USEPA/US@EPA, "Rob Greenbaum" <[robert@washoetribe.us](mailto:robert@washoetribe.us)>  
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Tansey, Greg, Eric and Rob,

As you know and the state knows they have no jurisdiction on Pine View Estates. Is this really a report and how does NDEP issue reports such as this? They should contact Eric Byous or Andrew S. (I have their contact information at the office) with EPA and I would appreciate to be copied with any correspondence. This report does not have any dates associated with it or anything so it is hard for me to comment on it.

I am currently at the NTOC meeting in Washington State and am on vacation until Jan 3rd. You know how that goes I really will be working.

Thanks for passing them onto Curtis. They (PVE) actually got hit with another fine around October and all this is on the EPA website so I am curious why NDEP is concerned and why a report was produced? Your associates can always give me a call and or email me we have been concerned with this development for years and have assisted with EPA as much as possible. I think it would be a good idea for us to sit down with NDEP key staff and educate them on the meaning of a reservation, allotments, and Tribal lands or you may want to let everyone know who received the email know.

Who issued the complaint? I also would like to make sure that the enforcement statement is debt with Eric and Andrew...please coordinate with me on this.

Ok just to let you all know where I am coming from: I have been in meetings for the past three days and we ended our day discussing the FY08 budget...

What kind of steps do we need to take? Marie

-----Original Message-----

From: Tansey Smith [<mailto:tsmith@ndep.nv.gov>]  
Sent: Thursday, December 15, 2005 1:46 PM  
To: Marie Barry (E-mail); Greg Phillips (E-mail)  
Subject: FW: spill report #051209-01 - report of  
failed septic at Pineview  
Estates south of Gardnerville

Hello. Here is a recent spill report concerning the Pineview Estates. I told NDEP that the Washoe Tribe under Constitution does not have jurisdiction to enforce upon these issues. NDEP would like to know who to send future reports to. I don't know if you would want to be notified Greg and Marie I would definitely put you on that list if you see fit. I did give NDEP the BIA's number for Curtis Millsap at the realty office. Let me know your thoughts on this.

Tansey

> -----Original Message-----

> From: Dave McNeil  
> Sent: Monday, December 12, 2005 3:37 PM  
> To: Samuel Jackson; Tom Dunkelman; Tansey Smith  
> Cc: Valerie King  
> Subject: spill report #051209-01 - report  
of failed septic at  
Pineview Estates south of Gardnerville

>

> Sam:

> Pineview Estates is on the Indian reservation  
between Gardnerville and  
Holbrook Junction (Topaz Lake). Thought I'd let you  
know in case you need  
to route the complaint to someone else (Tansey  
Smith?) to take the lead on.  
I understand from the complainant that the failed  
septic problem is on-going  
issue that EPA has been involved with.

>

> Tom: Are you involved with this one?

>

> I'd like to have one or all of you help get me up  
to speed on the  
situation, particularly with respect to assessing  
potential off site impact  
on non-Indian-owned land and understanding the  
appropriate involvement role,  
if any, for my bureau and branch (Enforcement).

>

> Thanks

>

> Dave McNeil

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> Bureau of Water Pollution Control  
> Nevada Division of Environmental Protection  
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